IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2175 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

JOSHI JAYANTI SHANKARLAL

Versus

UNION OF INDIA

Appearance:

MR BHARAT T RAO for Petitioner

MR ANANT S DAVE for Respondent No. 1

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 28/03/2001

ORAL JUDGEMENT

Rule. Mr. Anant S. Dave, Addl. Central Govt. Standing Counsel appears and waives service of rule on behalf of the respondents. This petition has filed for a direction to the respondents to correct the date of birth of the petitioner entered in the passport bearing No.I-005316 as 20-7-1959 instead of 30-7-1959 in the

passport.

2. It is submitted by the learned counsel for the petitioner that the date of birth of the petitioner 30-7-1959 has been wrongly mentioned in the passport and the correct date of birth is 20-7-1959. The petitioner has moved the application before the respondent authority for correction of his birth date as 20-7-1959 as per the certificate issued by the Municipal Corporation of Greater Bombay in the passport but the respondent authority has refused to entertain the same as it has no power or authority of law to make correction in the birth date of the petitioner unless and until some order is passed by the Court of Law.

3. In the facts and circumstances of this case, this application is required to be allowed and the respondent authority concerned is directed to entertain, consider and decide the application filed by the petitioner in accordance with law and make correction with regard to the date of birth of the petitioner as 20-7-1959 in place of 30-7-1959 in the passport, within one month from the date of receipt of writ of this Court or certified copy of this order whichever is earlier. The respondent authority will be at liberty to pass appropriate order with regard to the costs of these proceedings.

4. With the above directions and observations, this petition is disposed of. Rule is made absolute.

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/JVSatwara/